

**STATE OF MINNESOTA
PRIVATE DETECTIVE AND PROTECTIVE AGENT SERVICES BOARD
1430 Maryland Avenue East, St. Paul, Minnesota
August 30, 2016
Meeting Minutes**

Hodsdon called the meeting to order at 10:00 am.

1. REVIEW OF JULY 2016 MEETING MINUTES & AUGUST 2016 AGING REPORTS

- **MOTION:** Moen made a motion to approve the meeting minutes. Hessel seconded. The motion carried.

2. CURRENT CONTINGENCIES

PAC 328 – Loomis Armored, LLC

Cook stated that during the renewal process, the agency found where an officer change took place. The agency can't find where they were notified of the change. The agency found where there was a Minnesota address change, but cannot find where they were notified. The license holder stated that they were under the impression that their former branch manager had submitted the change request. On 8/16/2016, the agency received the updated information including the officer change application and the address change documentation. All information has been received as of 8/16/2016.

Hodsdon questioned if there was any disciplinary history with this entity. Cook stated that they did not currently have that information, but could get it for them.

- **MOTION:** Moen made a motion to lift the contingency for PAC 328. Hansen seconded. The motion carried.

PAC 260 – Contemporary Services Corporation

Cook stated that on 7/06/2016, the agency sent the license holder an email notification that their renewal had not been received. On 7/20/2016 the agency sent the license holder a certified notice that they did not receive their renewal. The agency received a signed receipt for that certified mail on 7/25/2016. As of 7/25/2016, the agency had not received a response from the license holder. At their last renewal, July 2014, there was an issue with this entity failing to provide training, background checks and ID cards to a large percentage of their employees. There had been no update from the license holder as of 8/25/2016.

Hodsdon stated that they have one more month for their contingency and could potentially go into lapsed status. Cook affirmed. Hodsdon stated it seemed to be an informational item only. Cook affirmed.

PAC 312 Gold Star

Cook stated that on 7/06/2016, the agency sent the license holder an email notification that they had not received their renewal. On 7/20/2016 the agency sent the license holder a certified notice that we did not receive their renewal. On 7/25/2016, the agency received the signed receipt from the certified notice sent to the license holder. The agency received the renewal packet on 7/26/2016. In review of the renewal, several issues were found including the packet being late, they did not respond to all questions on the renewal application, they did not provide an Affidavit of Training, and there were issues with the proof of financial responsibility. These issues were sent to the license holder on 8/03/2016. As of 8/24/2016, no additional information had been provided to the agency.

Hodsdon stated that they would also have one more month to be in contingency. Cook affirmed.

PDC 1123 – TalentWise, Inc.

Cook stated that the agency found several issues with their renewal including a vacant officer position, a blank Minnesota address, missing criminal history consent form, and Affidavit of Training issues. On 7/08/2016, the agency sent the license holder their renewal issues. With no response, the agency re-sent the renewal issues on 7/21/2016. As of 7/21/2016, the agency had received all necessary information except a signed criminal history consent form for the CEO and a preassignment date for the Minnesota Manager and Qualified Representative. On 7/26/2016, the license holder turned in the signed criminal history consent form for the CEO. On 8/18/2016 the agency sent an email requesting the preassignment date and provider. As of 8/25/2016 there had been no response. This is the entity’s first renewal. No disciplinary history was found.

Hodsdon stated that they would also have one more month to be in contingency. Cook affirmed.

3. RENEWAL CONSENT AGENDA

LICENSE HOLDERS
PAI 1129 – James Hessel
PDC 707 – Emerald Investigations, Inc.
PAC 1128 – Private Eye Security LLC
PDC 1038 – Private Eye Security LLC

*Cook noted that for this month, the only license holder that we had no issues upon original submission was **PAI 1129 – James Hessel, PDC 707 – Emerald Investigations, Inc., PAC 1128 & PDC 1038 – Mike Roberts - Private Eye Security LLC, J.***

Hodsdon made a recommendation to the Board that they separate the first two renewals from the second to so that one of the board members could abstain from voting on them.

- **MOTION:** Hansen made a motion to renew licenses PAI 1129 and PDC 707. Moen seconded. The motion carried.
- **MOTION:** Hansen made a motion to renew licensed PAC 1128 and PDC 1038. Hessel seconded. The motion carried.

4. RENEWALS WITH ISSUES:

PAC 1127 – Pro Dog Security, LLC

Cook stated that this renewal was due 8/01/2016. As the agency had not received the renewal by the due date, on 8/02/2016 they sent the license holder a notice that their renewal had not been received. Cook stated that on 8/02/2016, the license holder informed them that they had sent it out the week prior. On 8/03/2016, the agency received the renewal. On 8/17/2016, the agency sent the license holder a list of their renewal issues which included blank spots and unanswered questions on the renewal application, the need for additional funds, Affidavit of Training issues, and incomplete proof of financial responsibility. On 8/17/2016, the license holder called the agency and stated he would work on the issues. On 8/22/2016 the agency received the proof of financial responsibility. On 8/24/2016 the agency had received all other information, with a remaining issue with the Affidavit of Training. An updated Affidavit of Training was received on 8/29/2016, but Cook stated that the agency would need more time to review this. Cook stated that this was their first renewal and that no disciplinary history could be found on the company.

Hodsdon questioned if the agency had received the last item the day prior to the meeting. Cook confirmed. Hodsdon stated that it wouldn’t be realistic that the agency would have had time to review that for the meeting. Hodsdon noted it may be appropriate to grant a contingency.

- **MOTION:** Hessel made a motion to grant PAC 1127 a contingency. Hansen seconded. The motion carried.

PAC 336 – RS Executive Protection, LLC

Cook noted that this renewal was due 8/01/2016. The agency had not received the renewal by the due date, and sent the license holder a notice of non-receipt on 8/02/2016. On 8/03/2016, the license holder apologized for the late packet and they stated that they would get it to the agency the following week. On 8/22/2016, the agency received the packet via interoffice mail as it was mailed to DVS.

Upon review of the renewal, the agency identified issues with the renewal including the packet being late, a blank spot of the application, incomplete worker’s compensation form, Affidavit of Training issues, and lack of Proof of Financial Responsibility. These issues were sent to the license holder on 8/25/2016. As of 8/26/2016, there had been no additional information received from the license holder. Cook noted that there was a disciplinary history. Hodsdon noted there was the option for a contingency.

- **MOTION:** Moen made a motion to grant PAC 336 a contingency. Hessel seconded. The motion carried.

5. EXPIRED:

PDI 742 – Charles Loesch [Lapsed Expires August 2016] [Originally Licensed 11/01/95]

Cook stated that the agency received an email from the license holder in which he asked to have more time in order to complete his renewal. On 8/01/2016, the agency informed the license holder that they would need the renewal by 8/15/2016 in order to process it for the board meeting. On 8/29/2016 the license holder explained that he would not be able to renew and would re-apply if necessary. Cook noted that there was no Board action needed.

6. SURRENDERED LICENSES:

- PAC 1126 – The Diamond Group**
- PDI 1039 – Brian Fox**
- PDI 1016 – Bradshaw Anderson**

Hodsdon noted that the Board and staff appreciated it when those who wished to surrender their license informed the Board so that the staff would not have to try to track them down.

7. TRAINING COURSE & INSTRUCTOR APPROVALS:

TYPE	PROVIDER	INSTRUCTORS	COURSE NAME	HRS
CPD	National Investigative Training Academy	Steve Cassell	Online-Social Media	6
CPD	National Investigative Training Academy	Steve Cassell	Online-Surveillance and Fraud	6
CPD	National Investigative Training Academy	Steve Cassell	Online-Investigator Traits	4
CPD	National Investigative Training Academy	Steve Cassell	Online-Interviewing Skills	4
CPD	National Investigative Training Academy	Steve Cassell	Online-Report Writing	4
CPA	ADC, LTD. NM	Charles Smith	American Heart Association, First Aid, CPR & AED	1

CPA	ADC, LTD. NM	Charles Smith	SABRE OC Law Enforcement Aerosol Projectors	4
CA	ADC, LTD. NM	Charles Smith	Monadnock Expandable Baton	4
CA	ADC, LTD NM	Charles Smith	Hands, Fist's Feet	4
CA	ADC, LTD. NM	Charles Smith	Handcuffs	4
CPD	MAPI Conference 2016	Multiple	Multiple	10

PROVIDER	INSTRUCTORS
Inter-con Security	Brett Harnish
Inter-con Security	Matthew Dane
Inter-con Security	James Masson
Centerra Group, LLC	Thomas Reynolds
ADC, LTD. NM	Charles Smith
National Investigative Training Academy	Steve Cassell
MAPI	Edward Hall
MAPI	Joseph Dolan
MAPI	Matthew Logan
MAPI	Vandla Peart
MAPI	Greg Cook
MAPI	Don Peterson

Hodsdon noted that there were more individuals interested in providing online courses. He stated that this would give some of the license holders more flexibility with their schedules.

- **MOTION:** Moen made a motion to approve the training courses and instructors. Hessel seconded. The motion carried.

8. OFFICER CHANGES.

License Holder Business Name:	Loomis Armored, LLC
License Type/Number:	PAC 328
Change from:	Jarl Dahlfors
Change to:	Lars Blecko
Type of Officer Change (MM, QR, CFO, CEO):	CEO

Hodsdon stated that this officer change was informational only.

9. NEW LICENSE APPLICANTS – Present:

Applicant Business Name:	Marshal Mehlos DBA: MN Behavioral Intelligence
Type of License Applying For:	Individual Private Detective
Local Address:	745 Lakewood Trail, Young America, MN 55397

Cook received the applicant's Tennesen Warning and additional documentation regarding Mehlos' Proof of Financial Responsibility. Hodsdon welcomed Mehlos to the Board and stated that they had received a summary of information regarding Mr. Mehlos. Hodsdon asked Mehlos to explain his business plan. Mehlos stated he intended to have a sole proprietorship and continue to serve with bail bond enforcement. He stated he would offer his services to small, rural counties for District Attorneys to help with litigation, deposition, witness service, and analyzing statements.

Moen asked Mehlos to explain his investigative experience from when he was employed as a certified psychologist. Mehlos stated that was for the State of Illinois Department of Mental Health. He stated he worked there for approximately four years. He stated he worked with the forensic unit and was involved in the investigative reports and analysis, review of records, confirmation of previous reports, social services, law enforcement 72 hour holds.

Hodsdon questioned if it was primarily for civil commitment purposes. Mehlos affirmed. Hansen questioned how many hours of investigative experience Mehlos had during his role as a psychologist. Mehlos stated he had a little over 10,000 hours. Hansen questioned if that was from the year and a half time frame. Mehlos stated it was from previous work as well.

Hansen requested that Mehlos confirm some of his work experience time frame. He stated he was a certified psychologist from 1988 to 1992 and a psychologist from 1992 to 2000 with the Upper Mississippi Mental Health Clinic where he worked with the assistant county attorney and social services for a year or a year and a half. He then went into private practice and continued focusing on child abuse, child sex crime charges, expert witness for the 9th District Court in Beltrami and Cass County. Mehlos stated that from 2012 to present he did investigative work for the bail bond agencies.

Cook stated that he had a meeting with the President of the Minnesota Bounty Hunter's Association. Cook confirmed that the association was meeting with legislators and are seeking to have bail enforcement agents regulated in the state and to have the Minnesota Board of Private Detectives and Protective Agents be the regulatory body.

Hodsdon referred to a stipulation that was a consent ordered for voluntary surrender from the Board of Psychology. He also referred to the Department of Education School of Psychology license. Hodsdon questioned if it was still active and current. Mehlos affirmed. He stated he had kept his Minnesota School Psychology license current since arriving in 1985. He stated that he had voluntarily surrendered his private practice license in 2002 or 2003. He had closed his business in Bemidji in 2000. He then moved down to the cities.

Three years later, he stated he was working in the public school and received a letter from the Licensed Psychologist Board indicating that he had not renewed his license. Mehlos stated that he had advised them that he could not find where it stated he needed to notify them if he did not plan to renew his license. He stated the Psychology Board requested he take two college level courses in record keeping and ethics and to have every record reviewed by another private psychologist. Mehlos stated that he advised them that he only worked in the school and had no intention of going back into private practice. Mehlos agreed to voluntarily surrender his license. He stated that when you do a voluntary surrender of a license, it falls under the Disciplinary Board.

Hodsdon stated that there were two moving parts. One being character and the other being credentials. Hodsdon stated that Mehlos' situation was difficult in that his hours of experience happened so long ago that it affected the verification of some of the records. Hodsdon stated that it appeared Mehlos was counting his hours, not from his time as a police officer, but rather from the forensic investigative piece. Hodsdon stated that the stipulation noted Mehlos had been credentialing cases and he had not listed the assessment of child abuse cases as one of his competencies

as part of his application in 1991. Hodsdon stated that was what got him wondering if there were enough hours or if there was some way that we could verify that.

Hodsdon proposed that if the applicant would sign a consent form for access to private data, it would open the door for whatever the Psychology Board would have on the matter. He stated that then they could all hopefully return in the upcoming month to review the licensing history to verify the hours worked. Mehlos stated that the licensing requirement for the psychology license he received in 1992 was 6,000 hours in clinical. He stated that the State of Illinois Department of Mental Health was listed for those hours. Mehlos agreed to sign any consent form that was needed. Hodsdon stated it would be helpful. Hodsdon questioned if Mehlos maintained his Minnesota School Psychologist license as well. Mehlos affirmed. Hodsdon questioned if Mehlos would be willing to sign a consent form for the Minnesota Board of Education and the Psychology Board.

Moen, Hessel, and Hansen agreed with the idea. Hodsdon questioned if tabling the application for one month would give the agency sufficient time to gather the information. Cook affirmed. Cook questioned if the Board would address the issue with the proof of financial responsibility. Cook stated that Mehlos submitted a Statement of Financial Condition from his CPA. Cook stated that the statute asks for a Networth Statement. Cook read a paragraph from the CPA's cover letter in which they stated they would not stand behind the statement. Cook questioned if the Board would accept this for Mehlos' proof of financial responsibility.

Cook questioned if Mehlos brought in the numbers for the CPA or if they had found the numbers for him. Mehlos stated that he brought in every bank account statement and mortgage statement. Cook stated that he did not just feed the numbers to them. Mehlos affirmed that he brought in actual statements.

- **MOTION:** Hansen made a motion to table the application until further background could be done including the research on the number of hours from signing the consent form. Hessel seconded. The motion carried.

Applicant Business Name:	Fairline, LLC
Type of License Applying For:	Corporate Protective Agent
Local Address:	9697 East River Road NW, Coon Rapids, MN 55433

Hodsdon welcomed Austin Seman and Zachary Greseth to the Board. Hodsdon stated that application was for a Corporate Private Detective license. Hodsdon questioned what their overall goal and focus would be if they obtained a license. Seman stated that they would like to obtain a protective agent license to do guard services, patrol services and event staffing. He stated that was their overall business model. Greseth stated that was where they were going to start. Seman stated they had a very basic plan at the moment.

Hodsdon questioned if Seman was still working part time at the Minnesota State Fair Police. Seman affirmed. Hodsdon questioned if it was primarily uniformed service. Seman affirmed. Hessel questioned how many employees they intended to hire. Seman stated they would like to stay small. If possible, they would like to have five to ten employees to begin. Seman stated that they couldn't exactly project until they can advertise. Hessel questioned if the employees would be armed. Seman stated that they wanted to start off with unarmed security.

Hansen stated that he assumed that there were no other reports of unlicensed activity. Cook affirmed. Cook referred to Seman and Greseth and questioned if since August 2015, either of them had provided protective agent or private detective services. Seman stated no. Greseth stated no. Cook confirmed that they had no other reports.

Hodsdon noted there were no questions regarding the hours. Cook affirmed and stated that the agency had received work references from their previous employers.

- **MOTION:** Moen made a motion to grant a Corporate Protective Agent license to Fairline, LLC. Hansen seconded. The motion carried.

10. New Applicants: Consent Agenda:

Applicant Business Name:	Assets International, LLC
Type of License Applying For:	Corporate Private Detective
Physical Address:	26211 Central Park Blvd Suite #606 Southfield, MI 48076
Local Address:	901 Marquette Ave., #1675, Minneapolis, MN 55402

Cook stated that this applicant had no issues and that he was currently an attorney. He provided heir finding services. Cook stated that the applicant maintained his attorney license and wanted to abide by the statutes and rules.

- **MOTION:** Moen made a motion to grant a Corporate Private Detective license to Assets International, LLC with Michael Zwick as the Qualified Representative and Minnesota Manager. Hessel seconded. The motion carried.

11. OTHER ISSUES AND DISCUSSION:

Training: Training Revision/Update Memo to license holders and trainers.

Cook stated that the previous month, the agency had sent out a training memo to 485 people including all the trainers and license holders to inform them what the agency was doing to try to streamline the renewals. Cook stated that the agency received a lot of positive feedback from the memo, along with some questions.

Cook stated that one of the questions was regarding dual licensing and the Minnesota Administrative Rule versus what the Board’s determination was the previous month. The Board had previously stated that if one had both licenses, they only need to take a total of six hours of continuing education to cover both of those licenses as opposed to taking six hours per license. Cook referred to Minnesota Administrative Rule 7506.2700 subparagraph 2, which stated continuing education for all license holders and employees means mandatory, board-certified training directly related to the field of private detective/investigator or protective agent. Cook stated that the agency was looking for confirmation on the previous board motion.

Cook stated that he had gone through all of the Board Certified courses and picked out several courses that would apply to both private detectives and protective agents. He stated that the course would be labeled as “CPDPA” as it would be a combined class.

Hodsdon stated that from his perspective of using the literal language of subpart 1, it said a license holder. It didn’t distinguish if it was singular or plural. He stated that if the idea was to have six hours of training for each, the rule would have been written as it was for armed training. He stated that not every dual license holder gets by with six hours because some dual license holders are armed, which involves additional training. Hodsdon confirmed that if a license holder has two licenses, six hours of continuing education training per year was enough. He added that if they were also armed, there would be the additional training for that as well.

Moen questioned if this would only apply to those combined courses that Cook had referred to. Hodsdon affirmed. Hodsdon noted there was no penalty for getting more hours in than required.

Cook questioned if the Board agreed with trainers creating “CPDPA” certificates rather than sending out two separate ones. The Board agreed and stated they could do that or continue the way they were currently doing it.

Cook questioned if taking the preassignment training course would count towards an employee's first year of continuing education. The Board confirmed this was correct.

Cook stated that license holders were asking if ACFE and ASIS courses could be counted for continuing education units. Cook stated that the courses were well vetted. He questioned if he could approve these for those who requested the continuing education units. Hodsdon questioned if they had submitted the courses. Cook referred to Minnesota Administrative Rule 7506.0100, subparagraph 2, which stated that equivalent training means other continuing education training the board finds acceptable upon review. Hessel questioned if the currently accepted credits from NCISS. Cook stated that would be another organization. Hessel stated he saw a similarity. Hodsdon noted that the Board agreed to approve courses certified through the POST Board. Cook stated that the overall goal was to be able to provide quality course options to license holders. The Board confirmed that it would allow Cook to accept these types of courses as continuing education units.

Possible Unlicensed Activity:

Cook stated that he was looking for direction from the Board to send notification letters to (2) entities.

- **MOTION:** Hansen made a motion to direct the agency to send this entity a notification letter. Hessel seconded. The motion carried.
- **MOTION:** Moen made a motion to direct the agency to send this entity a notification letter. Hessel seconded. The motion carried.

Hansen noted that he would like the agency to confirm with both law enforcement agencies that this would not affect any investigation. Cook confirmed that the agency would do so prior to sending the notifications.

12. REQUEST TO SPEAK TO THE BOARD: Chuck and Donna Thibodeau to discuss online training

Mr. Charles Thibodeau came before the Board to express his concerns regarding online training. He referred to a letter he had sent to the Board. He explained at this point he wanted to start the dialogue and was not expecting any answers at this time.

Mr. Thibodeau stated that the goal of his memo was to strengthen existing rules, design a countermeasure to possible lawsuits, and in the long run save money. He explained to the Board the value of having a teacher in the classroom. He suggested forming a task force to review the course materials. His questions from his letter to the Board were:

1. *How will the license holder and the Board observe and enforce the 21 Day Rule for training completion of 12 hours of pre-assignment training, and 6 hours of continuing training each year?*
2. *How does the Board assure we are not inadvertently setting up the license holder for a lawsuit?*
3. *He wanted to confirm that the "teacher-in-the-classroom" courses will continue to be offered.*
4. *Without the task force who will develop a list of parameters that would constitute "adequate training" in the State of Minnesota for on-line courses?*
5. *We can even get a First Aid, CPR/AED certification over the internet. However, if I am having a heart attack, do I really want someone performing CPR/AED on me who got their certification watching videos and reading some books on the subject?*
6. *How do we declare the on-line platform we use as being secured when at this time we have no inexpensive way to prove who completed the study materials?*

Cook stated that as to First Aid, CPR classes he could not see how those could be done online. In regard to continuing teachers in the classroom there has been no discussion of discontinuing that. Hodsdon thanked Mr. Thibodeau.

13. ANNOUNCEMENTS:

Intern Emma Books last day

Cook stated that it was Emma Books' last day. He noted that her hour requirement for her internship was 480 hours. Cook stated for the record Books had done an outstanding job. She had conducted detailed research, written reports, assisted with processing applications, renewals and officer changes, assisted with background investigations, and did a fantastic job getting things organized. Cook stated he had done an overall fantastic job, it was appreciated, and he wished her luck in her future. The Board thanked Books.

Introduction and recognition: Taryn Krug

Cook stated that Taryn Krug was a long time employee of the BCA and that she had greatly assisted the agency in scanning, filing, and typing. Cook stated Krug was about to start on a major project for the agency. This project would involve her scanning all of the agency's documentation. Cook noted she had helped the agency stay organized and had helped out with projects over the past year. Cook stated Krug had done a great job and deserved credit for it. Cook presented Krug with a Certificate of Appreciation.

Legal Issues

Hodsdon questioned Magnuson if he had heard anything on their motion. Magnuson stated he had not. He stated he had provided the Board Chair with a copy of the unpublished decision that the Court of Appeals had recently released in a related matter that the agency had handled. Magnuson stated that they would be providing that to the District Court. Cook questioned what the deadline on this was. Magnuson stated that district courts had guidelines. Hodsdon noted that the guidelines would initiate after the record was closed.

- **MOTION:** Hessel made a motion to adjourn the meeting at 11:26 am. Moen seconded. The motion carried.

Next meeting is scheduled for September 27th, 2016 at 10:00am.